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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

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9 UNITED STATES OF AMERICA,) Case No.: 2:15-cr-056-RFB
10 Plaintiff,)
11 vs.) **STIPULATION TO VACATE**
12 JOSEPH SYLVANUS D'ELIA, JR.,) **SENTENCING**
13 Defendant.)

14
15 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
16 United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the
17 United States of America, and Michael Becker, Esq. counsel for the Defendant JOSEPH
18 SYLVANUS D'ELIA, JR., that the sentencing currently scheduled for July 5, 2016, be vacated,
and the Court instead set the matter for status check in 60 days.

19 This Stipulation is entered into for the following reasons:

- 20 1. On June 2, 2016, Mr. D'Elia was pronounced dead after being taken to the
21 University Medical Center in Las Vegas, Nevada.
- 22 2. The parties are working diligently to obtain a certified copy of Mr. D'Elia's
23 death certificate to support a stipulation to close the case.
- 24 3. It is unlikely that the parties will receive a certified copy of the death certificate

1 by the currently scheduled sentencing date.

- 2 4. It is estimated that a certified copy of the death certificate will be available by the
3 end of July 2016.
- 4 5. A status check in 60 days will allow the parties time to obtain the necessary
5 documentation and move to close the case, while still allowing the Court to
6 maintain control of its docket.

7 DATED this 28th day of June, 2016.

8
9 DANIEL G. BOGDEN,
United States Attorney

10 MICHAEL BECKER, ESQ.

11 By: /s/ Elham Roohani
12 ELHAM ROOHANI
13 Assistant United States Attorney

14 By: /s/ Michael Becker
15 MICHAEL BECKER, ESQ.
16 Counsel for Joseph Sylvanus D'Elia, Jr.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No.: 2:15-cr-056-RFB

Plaintiff,

FINDINGS OF FACT AND ORDER

vs.

JOSEPH SYLVANUS D'ELIA, JR.,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On June 2, 2016, Mr. D'Elia was pronounced dead after being taken to the University Medical Center in Las Vegas, Nevada.
 2. The parties are working diligently to obtain a certified copy of Mr. D'Elia's death certificate to support a stipulation to close the case.
 3. It is unlikely that the parties will receive a certified copy of the death certificate by the currently scheduled sentencing date.
 4. It is estimated that a certified copy of the death certificate will be available by the end of July 2016.
 5. A status check in 60 days will allow the parties time to obtain the necessary documentation and move to close the case, while still allowing the Court to maintain control of its docket.

ORDER

IT IS FURTHER ORDERED that the sentencing currently scheduled on July 5, 2016 at 10:00 a.m., be vacated and the matter be set for status check on September 5, 2016 at 4:00 PM.

DATED this 28th day of June, 2016.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE